

R277-494 WAS APPROVED BY THE UTAH STATE BOARD OF EDUCATION ON FIRST AND SECOND READING ON JUNE 5, 2009 AND IS SCHEDULED FOR FINAL APPROVAL BY THE BOARD ON AUGUST 7, 2009.

**R277. Education, Administration.**

**R277-494. Charter School and Online Student Participation in Extracurricular or Co-curricular School Activities.**

**R277-494-1. Definitions.**

A. "Activity fees" means fees that are approved by a local board and charged to all students to participate in any or all activities sponsored by or through the public school. Fees vary among districts and schools and entitle a public school student to participate in regular school activities, to try out for extracurricular or co-curricular school activities, to receive transportation to activities, and to attend regularly scheduled public school activities.

B. "Board" means the Utah State Board of Education.

C. "Charter school" means a school acknowledged as a charter school by a local board of education under Section 53A-1a-515 and R277-470 or by the Board under Section 53A-1a-505.

D. "Co-curricular activity" means ~~[an activity that includes practices or events outside the regular school day and a specific required class enrollment as a condition of participation.]~~ a school district or school activity, course or experience that includes a required regular school day component and an after school component; special programs or activities such as programs for gifted and talented students, summer programs and science and history fairs are co-curricular activities.

~~[E. "District enrollment levels" means districts divided by size as outlined in the Schedule as part of this rule.]~~

~~[F]~~E. "Extracurricular activity" means an athletic program or activity sponsored by the public school and offered, competitively or otherwise, to public school students outside of the regular school day or program.

~~[G]~~F. "Online school" means a school:

(1) that provides the same number of classes consistent with the requirement of similar ~~[resident]~~ public schools;

(2) that delivers course work via the internet;

(3) that has designated a readily accessible contact person; and

(4) that provides the range of services to public education students required by state and federal law.

~~[H]~~G. "Pay to play fees" means the fees charged to a student to participate in a specific school-sponsored extracurricular or co-curricular activity. All fees shall be approved annually by the local board of education.

~~[I]~~H. "Student's boundary school" means the school the student is designated to attend according to where the student's legal guardian lives or the school where the student is enrolled under Section 53A-2-206.5 et seq.

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[~~☞~~]I. "Student's school of enrollment" means the public school in which the student is enrolled consistent with Section 53A-11-101 et seq.

[~~☞~~]J. "Student fee waivers" means all expenses for an activity that are waived for student participation in the activity consistent with Section 53A-12-103 et seq. and R277-407.

[~~☞~~]K. "School participation fee" means the fee paid by the charter/online school to the [~~traditional~~]boundary school consistent with [~~the fee schedule of~~]R277-494-4 for student participation in extracurricular or co-curricular activities.

[~~M~~]L. "Student participation fee" means the fee charged to all participating charter/online and traditional school students by the [~~resident~~]boundary school for designated extracurricular or co-curricular activities consistent with R277-407.

[~~N~~]. "~~Tier activities~~" means ~~extracurricular activities (both boys and girls, as offered) divided by type and expense to sponsoring schools/school districts as outlined in the Schedule as part of this rule. The activities that fall into each tier are as follows:~~

~~—— (1) Tier 1 activity: football.~~

~~—— (2) Tier 2 activities: baseball, softball, basketball, swimming and diving, wrestling, soccer, volleyball, and drill team.~~

~~—— (3) Tier 3 activities: golf, tennis, cross country, track, and all other extracurricular and co-curricular activities.]~~

## **R277-494-2. Authority and Purpose.**

A. This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and supervision of public education in the Board, Section 53A-1-401(3) which permits the Board to adopt rules in accordance with its responsibilities, Section 53A-1a-519(5) that directs [~~to~~]the Board to make rules establishing fees for a charter school student's[~~^~~] participation in extracurricular or co-curricular activities at school district schools, and Section 53A-2-214(6) which directs the Board to make rules establishing fees for [~~charter/~~an]online student's[~~^~~] participation in extracurricular or co-curricular activities at school district schools.

B. [~~The purpose of this rule is to establish a Tier Activities Participation Fee Schedule and provide information to school districts, charter and online schools, and parents that fairly inform districts, schools, and parents of the Schedule and requirements integral to the Schedule.~~]The purpose of this rule is to inform school districts, charter and online schools, and parents of school participation fees and state-determined requirements for a charter school or a public online school student to participate in extracurricular athletics and activities at a student's boundary

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school.

**R277-494-3. Requirements for Payment and Participation Integral to the Schedule.**

A. A charter or online school ~~[may]~~shall allow student participation in activities designated under R277-494-1~~[F]~~E upon satisfaction of requirements and payments of this rule and satisfaction of school district standards and requirements.

B. ~~[The]~~A school participation fee ~~[identified in the Schedule]~~of \$75.00 per student shall be paid by the student's school of enrollment to the boundary school at which the student desires to participate. Upon annual payment of the school participation fee, the student may participate in all extracurricular school activities as defined in R277-494-1F during the school year for which the student is qualified and eligible.

C. ~~The [fees in this Schedule do not include]~~participation fee paid by the charter or online school is in addition to individual student participation fees ~~[or required activity fees]~~for specific extracurricular activities and the activity fees charged to all students in the secondary school to supplement school activities as assessed by the school consistent with this rule. Student participation fees or required activity fees shall be paid to the boundary school by the participating student.

D. All fees, including school participation fees, ~~[and]~~ student participation fees and activity fees shall be paid prior to student participation.

E. If a participating charter or online school student qualifies for fee waivers, all waived student participation fees shall be paid to the boundary school by the student's school of enrollment prior to student participation.

**~~[R277-494-4. Tier Activities Participation Fee Schedule (Schedule)]~~**

~~A. Fee schedule~~

<del>School Fee Per Student Participation</del>			
<del>District</del>			
<del>Enrollment</del>	<del>Tier 1</del>	<del>Tier 2</del>	<del>Tier 3</del>
<del>less than 1,000</del>	<del>\$600</del>	<del>\$300</del>	<del>\$150</del>
<del>1,001 to 6,000</del>	<del>\$500</del>	<del>\$250</del>	<del>\$125</del>
<del>6,001 to 18,000</del>	<del>\$400</del>	<del>\$200</del>	<del>\$100</del>
<del>18,000 to 45,000</del>	<del>\$300</del>	<del>\$150</del>	<del>\$ 75</del>
<del>+45,000</del>	<del>\$200</del>	<del>\$100</del>	<del>\$ 75</del>

~~B. Charter and online students participating under this rule shall meet all eligibility requirements and timelines of the receiving schools.]~~

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**R277-494-[5]4. Additional Provisions.**

~~A. [Neither this rule nor the Schedule applies to student participation in school activities which requires student enrollment in a regularly scheduled class at the boundary school.~~

~~B. Despite the provisions of R277-494-5A, c]Charter, online and traditional schools may negotiate to allow student participation in co-curricular activities such as debate, drama, [or]choral programs, specialized courses or programs offered during the regular school day, and school district-sponsored enrichment programs or activities. Participating charter/online students shall be required to meet all attendance and course requirements of all [traditional]boundary public school students.~~

~~B. A charter and online student participating under this rule shall meet all eligibility requirements and timelines of the boundary school.~~

~~[C. This rule shall be effective beginning with the 2008-09 school year.]~~

**KEY: extracurricular, co-curricular, activities, student participation**

**Date of Enactment or Last Substantive Amendment: [October 8, 2008]2009**

**Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-401(3); 53A-1a-519(5); 53A-2-214(6)**